

AMENDED IN ASSEMBLY MAY 28, 2010

AMENDED IN ASSEMBLY APRIL 27, 2010

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2739**

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**Introduced by Assembly Member Blakeslee**

February 19, 2010

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An act to add Section 8670.15 to the Government Code, relating to oil spills.

LEGISLATIVE COUNSEL'S DIGEST

AB 2739, as amended, Blakeslee. Oil spill prevention and response.

The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act generally requires the administrator for oil spill response, acting at the direction of the Governor, to implement activities relating to oil spill response, including emergency drills and preparedness, and oil spill containment and cleanup, and to represent the state in any coordinated response efforts with the federal government.

This bill would require the administrator, *in consultation with the appropriate federal agencies, including, but not limited to, the United States Coast Guard and the National Oceanic and Atmospheric Administration*, to prepare a sunken vessel imminent threat assessment and strategic response plan that identifies any sunken vessel off the California coast that meets certain criteria and outlines a strategic plan regarding the threat of a release of oil from the vessel. The bill requires the administrator to report his or her findings to the Legislature by June 1, 2011.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 8670.15 is added to the Government  
2 Code, to read:
- 3 8670.15. (a) ~~The~~ *In consultation with the appropriate federal*  
4 *agencies, including, but not limited to, the United States Coast*  
5 *Guard and the National Oceanic and Atmospheric Administration,*  
6 *the administrator shall prepare a sunken vessel imminent threat*  
7 *assessment and strategic response plan that does both of the*  
8 *following:*
- 9 (1) Identifies any sunken vessel off the coast of California that  
10 meets all of the following criteria:
- 11 (A) The vessel is within eight miles of the California coast.  
12 (B) The vessel is within 20 miles of a national marine sanctuary.  
13 (C) There is no party responsible for the vessel.  
14 (D) At the time the vessel sank, it contained more than one  
15 million gallons of oil.  
16 (E) A release of oil from the vessel is likely to pose a threat to  
17 California waters and shorelines, archaeological sites, wildlife,  
18 and the habitat on which the wildlife depends.  
19 (F) The vessel has not yet been classified as posing an imminent  
20 threat.
- 21 (2) Outlines a strategic plan to do the following:
- 22 (A) Identify studies that should be performed to determine  
23 whether there exists an imminent threat of a release of oil from  
24 the vessel, noting preferred and alternative methods of study with  
25 corresponding cost estimates.
- 26 (B) In the event that it is determined that an imminent threat  
27 exists, notify the California Emergency Management Agency  
28 pursuant to Section 8670.25.5 if the vessel is located in state waters  
29 or notify the appropriate federal agency if the vessel is located in  
30 federal waters.
- 31 (C) In the event that it is determined that a threat exists, but the  
32 threat is not imminent, identify the recommended course of action  
33 to monitor the vessel, noting preferred and alternative methods of  
34 monitoring with corresponding cost estimates.

1 (b) By June 1, 2011, the administrator shall report his or her  
2 findings to the Legislature.

3 (c) (1) The requirement for submitting a report imposed under  
4 subdivision (b) is inoperative on June 1, 2015, pursuant to Section  
5 10231.5.

6 (2) A report to be submitted pursuant to subdivision (b) shall  
7 be submitted in compliance with Section 9795.

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